



MARK DAVID SHIRIAN P.C.
ATTORNEYS AT LAW

MARK DAVID SHIRIAN P.C.

228 EAST 45TH STREET, SUITE 1700-B
NEW YORK, NY 10017
TEL: (212) 931- 6530
FAX: (212) 898 - 0163
WWW.SHIRIANPC.COM

MARK D. SHIRIAN
MSHIRIAN@SHIRIANPC.COM

February 4, 2021

BY ECF

Honorable Katherine Polk Failla
United States District Judge Southern District of New York
40 Foley Street, Courtroom 618
New York, NY 10007

MEMO ENDORSED

Re: Andrew Livingston v. The City of New York, et al.
Civil Case No. 19 Civ. 5209(DAB)

Dear Judge Katherine Polk Failla:

I am a member of Mark David Shirian P.C., attorneys for the Plaintiff, Andrew Livingston in the above-referenced action. Maxwell Douglas Leighton represents Defendants. I write with the consent of Defendants to respectfully request an extension from February 8, 2021 to February 15, 2021 to file their opposition to Defendants' motion for summary judgment. This is Plaintiff's second and final request for an extension to file their opposition to Defendants' motion for summary judgment. Plaintiff's counsel makes this request due to being displaced from his office due to the recent snow and to provide Plaintiff with sufficient time to submit opposition, in light of existing deadlines.

Plaintiff proposes the following revised briefing schedule concerning Defendants' motion for summary judgment:

- Plaintiff shall serve and file his opposition on February 15, 2021; and
- Defendants will submit their reply March 8, 2021.

Thank You for Your consideration of this request.

Respectfully submitted,

Mark D. Shirian

MDS: ns

cc: Maxwell Douglas Leighton, Esq. (via ECF service)

Application GRANTED. The parties shall adhere to the briefing deadlines outlined in the above letter.

Dated: February 5, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE